



22645

DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that: My residence, post-office address, and citizenship are as stated below next to my name,
I believe that I am the original, first, and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

VARIABLE VOLUME BEVERAGE CONTAINER

the specification of which was filed **18 September 2003** as application **10/665,375**.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 USC 119 of any foreign applications for patent or inventor's certificate listed below and have also identified below any foreign applications for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Applications

Country	Number	Filing Date	Priority claimed
BR	PI9900396	5 February 1999	No
BR	001790-SP	24 April 2003	No

I hereby appoint as attorneys to prosecute this application and to transact all business connected therewith:

Herbert Dubno, Reg. 19,752; Andrew Wilford, Reg. 26,597; Jonathan Myers, Reg. 26,963 and each of them individually.

Address all correspondence to:

**The Firm of Karl F. Ross, P.C.
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Direct all telephone calls to:

(718) 884-6600

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole inventor:

Masaharu TAMASHIRO

Inventor's signature

30.12.2003

Date:

Residence: Sao Paulo - SP, Brazil

Citizen of Brazil

Post-office Address: Rua Dionisio Pedrellini 180, 05542-130 Sao Paulo - SP, Brazil

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IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor **Masaharu TAMASHIRO**
Patent App. **10/665,375**
Filed **18 September 2003**
For **VARIABLE VOLUME BEVERAGE CONTAINER**
Art Unit **Not known**
Hon. Commissioner of Patents
Box 1450
Alexandria, VA 22313-1450

STATEMENT AS TO REPRESENTATION

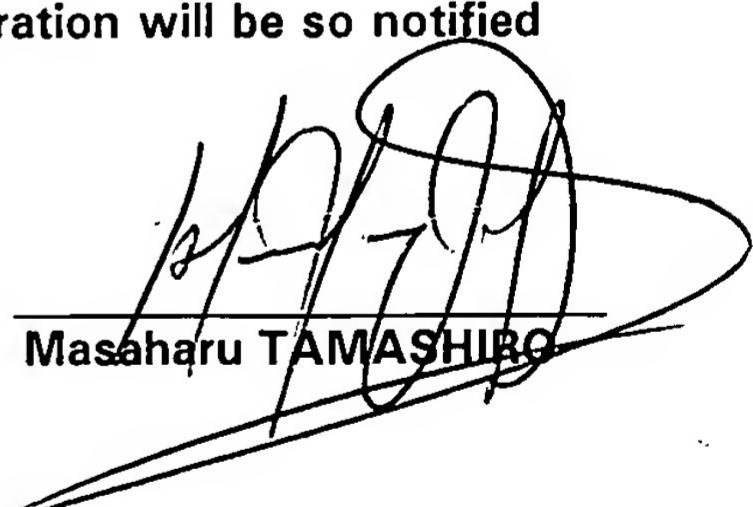
With respect to the above-identified application, the undersigned hereby authorizes the United States Attorneys and Agents named in the Declaration accompanying the application or in any Declaration subsequently filed in the application to expect and follow instructions from:

ACEVEDO IBANEZ ASSOCIADOS LTDA
Rua Dr. Antonio Bento 231 - CJTO.23
Santo-Amaro
Sao-Paulo, SP
CEP: 04750-000
Brazil

for any action to be taken in the United States Patent and Trademark Office regarding this application without direct communication between the above-mentioned United States Attorneys or Agents and the undersigned. In the event of change in the person or persons from whom instructions may be taken, the above-mentioned United States Attorneys or Agents named in such Declaration will be so notified by the undersigned.

Date: 30.12.2003

Signed:


Masaharu TAMASHIRO